

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2014 APR -7 PM 4:42

CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 7, 2014

Bridget C. Bohac
Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

Re: Application by Steely Lumber Co., Inc. for TPDES Permit No. WQ0004249000;
TCEQ Docket No. 2013-2062-IWD

Dear Ms. Bohac:

I have enclosed the Executive Director's Supplemental Response to Request for Reconsideration. Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Stefanie Skogen".

Stefanie Skogen
Staff Attorney
Environmental Law Division

Enclosure

cc: Mailing list

TCEQ Docket No. 2013-2062-IWD

APPLICATION BY STEELY LUMBER CO.,	§	BEFORE THE TEXAS
INC. TO RENEW TEXAS POLLUTANT	§	COMMISSION ON
DISCHARGE ELIMINATION SYSTEM	§	ENVIRONMENTAL QUALITY
(TPDES) PERMIT NO. WQ0004249000	§	

**EXECUTIVE DIRECTOR'S SUPPLEMENTAL RESPONSE TO REQUEST FOR
RECONSIDERATION**

This document is a supplement to the Executive Director's (ED's) Response to Request for Reconsideration, which the ED filed on January 27, 2014. The purpose of this supplement is to provide an amended version of Other Requirement No. 13, which was added to the permit concurrent with the ED's January 27th response, the current version of the proposed permit, the current version of the ED's preliminary decision, and a map of Steely Lumber's facility and the surrounding area.

Attached for Commission consideration are the following:

Attachment A – Proposed permit.
Attachment B – Statement of Basis/Technical Summary and ED's Preliminary Decision.
Attachment C – Map.

I. OTHER REQUIREMENT NO. 13

Upon further review of the minimum detection levels (MDLs) contained in Other Requirement No. 13, the ED determined that the MDLs for radium 226 and 228 did not need to be more stringent than the drinking water radionuclide monitoring requirements found in Table A in title 30, section 290.108(c)(1)(B)(i) of the Texas Administrative Code. Therefore, the MDLs for radium 226 and 228 were changed from 0.2 picocuries per liter (pCi/L) and 0.5 pCi/L, respectively, to 1 pCi/L for each pollutant, which coincide with the requirements found in the rule.

The ED also determined that a more general reference to the Texas Department of State Health Services' radiation control rules would help ensure that Steely Lumber would comply with the Department's requirements while leaving it to the Department to determine what type of licensing may be required. Therefore, the last sentence of Other Requirement No. 13 has been amended to refer to all of title 25, chapter 289 of the Texas Administrative Code. All changes to Other Requirement No. 13 can be seen in Attachment A.

IV. CONCLUSION

The ED recommends that the Commission grant Mr. Russell's request for reconsideration of the ED's decision in this matter and respectfully requests that the

Commission issue the proposed permit as it is found in Attachment A to this document.

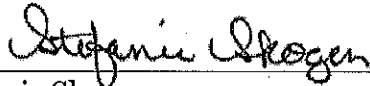
Respectfully submitted,

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Richard A. Hyde, P.E., Executive Director

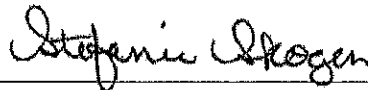
Robert Martinez, Director
Environmental Law Division

By: _____


Stefanie Skogen
Staff Attorney
Environmental Law Division
State Bar of Texas No. 24046858
MC-173, P.O. Box 13087
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Phone: (512) 239-0575
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CERTIFICATE OF SERVICE

I certify that on April 7, 2014, a copy of the foregoing document was sent by electronic mail to the persons on the attached mailing list.



Stefanie Skogen, Staff Attorney
Environmental Law Division

Mailing List
Steely Lumber Co., Inc.
TCEQ Docket No. 2013-2062-IWD

**REPRESENTING STEELY LUMBER
CO., INC.:**

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Winstead P.C.
401 Congress Avenue, Suite 2100
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E-mail: dseal@winstead.com

REQUESTOR:

George H. Russell
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PUBLIC EDUCATION PROGRAM:

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**REPRESENTING THE OFFICE OF
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ATTACHMENT A



TEXAS COMMISSION ON ENVIRONMENTAL
QUALITY

P.O. Box 13087
Austin, Texas 78711-3087

TPDES PERMIT NO. WQ0004249000
[For TCEQ office use only -
EPA I.D. No. TX0123421]

This is a renewal of TPDES
Permit No. WQ0004249000
issued on June 3, 2010.

PERMIT TO DISCHARGE WASTES

under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

Steely Lumber Co., Inc.

whose mailing address is

1405 Southwood Drive
Huntsville, Texas 77340-2479

is authorized to treat and discharge wastes from Steely Lumber Wastewater Treatment Plant, a saw mill that produces lumber, wood chips, fractionated wood, and humus (SIC 2421)

located at 1405 Southwood Drive, approximately 1.5 miles east of the intersection of U.S. Highway 75 and Southwood Drive and approximately 2.5 miles southeast of the City of Huntsville, Walker County, Texas 77340

to an unnamed ditch; thence to Shepherd Creek; thence to Winters Bayou; thence to East Fork San Jacinto River in Segment No. 1003 of the San Jacinto River Basin

only according to effluent limitations, monitoring requirements and other conditions set forth in this permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the TCEQ. The issuance of this permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the discharge route described in this permit. This includes, but is not limited to, property belonging to any individual, partnership, corporation, or other entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This permit shall expire at midnight on July 1, 2018.

ISSUED DATE:

For the Commission

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall Number 001

1. During the period beginning upon the date of issuance and lasting through the date of expiration, the permittee is authorized to discharge (*1) wet decking wastewater, utility wastewater (*2), and stormwater runoff subject to the following effluent limitations:

Volume: Intermittent and flow variable.

Effluent Characteristics	Discharge Limitations		Minimum Self-Monitoring Requirements	
	Daily Average mg/L	Daily Maximum mg/L	Single Grab mg/L	Report Daily Average and Daily Maximum Measurement Frequency Sample Type
Flow (*3)		Report (MGD)		1/day (*4) Instantaneous
Chemical Oxygen Demand	N/A	Report	N/A	1/week (*4) Grab
Oil and Grease	N/A	15	N/A	1/week (*4) Grab
Carbonaceous Biochemical Oxygen Demand (5-day)	N/A	35	35	1/month (*4) Grab
Total Suspended Solids	N/A	60	60	1/month (*4) Grab
Ammonia, as Nitrogen	N/A	15	15	1/month (*4) Grab
Dissolved Oxygen	4.0, min.	N/A	4.0, min.	1/month (*4) Grab

- (*1) See Other Requirement No. 2
- (*2) See Other Requirement No. 1.c
- (*3) MGD means million gallons per day
- (*4) When discharging

2. The pH shall neither be less than 6.0 standard units nor be greater than 9.0 standard units and shall be monitored 1/week (*4) by grab sample.
3. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples shall be taken at the following location: At Outfall 001, where effluent exits the storage and settling pond, prior to discharging to the unnamed ditch.

DEFINITIONS AND STANDARD PERMIT CONDITIONS

As required by Title 30 Texas Administrative Code (TAC) Chapter 305, certain regulations appear as standard conditions in waste discharge permits, 30 TAC §§305.121 - 305.129 (relating to Permit Characteristics and Conditions) as promulgated under the Texas Water Code (TWC) §§5.103 and 5.105, and the Texas Health and Safety Code (THSC) §§361.017 and 361.024(a), establish the characteristics and standards for waste discharge permits, including sewage sludge, and those sections of 40 Code of Federal Regulations (CFR) Part 122 adopted by reference by the Commission. The following text includes these conditions and incorporates them into this permit. All definitions in Texas Water Code §26.001 and 30 TAC Chapter 305 shall apply to this permit and are incorporated by reference. Some specific definitions of words or phrases used in this permit are as follows:

1. Flow Measurements

- a. Annual average flow - the arithmetic average of all daily flow determinations taken within the preceding 12 consecutive calendar months. The annual average flow determination shall consist of daily flow volume determinations made by a totalizing meter, charted on a chart recorder, and limited to major domestic wastewater discharge facilities with a one million gallons per day or greater permitted flow.
- b. Daily average flow - the arithmetic average of all determinations of the daily flow within a period of one calendar month. The daily average flow determination shall consist of determinations made on at least four separate days. If instantaneous measurements are used to determine the daily flow, the determination shall be the arithmetic average of all instantaneous measurements taken during that month. Daily average flow determination for intermittent discharges shall consist of a minimum of three flow determinations on days of discharge.
- c. Daily maximum flow - the highest total flow for any 24-hour period in a calendar month.
- d. Instantaneous flow - the measured flow during the minimum time required to interpret the flow measuring device.
- e. 2-hour peak flow (domestic wastewater treatment plants) - the maximum flow sustained for a two-hour period during the period of daily discharge. The average of multiple measurements of instantaneous maximum flow within a two-hour period may be used to calculate the 2-hour peak flow.
- f. Maximum 2-hour peak flow (domestic wastewater treatment plants) - the highest 2-hour peak flow for any 24-hour period in a calendar month.

2. Concentration Measurements

- a. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements.
 - i. For domestic wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration.
 - ii. For all other wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values taken during the month shall be utilized as the daily average concentration.
- b. 7-day average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar week, Sunday through Saturday.
- c. Daily maximum concentration - the maximum concentration measured on a single day, by the

sample type specified in the permit, within a period of one calendar month.

- d. Daily discharge - the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the sampling day.

The "daily discharge" determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the "daily discharge" determination of concentration shall be the arithmetic average (weighted by flow value) of all samples collected during that day.

- e. Bacteria concentration (Fecal coliform, *E. coli*, or Enterococci) - the number of colonies of bacteria per 100 milliliters effluent. The daily average bacteria concentration is a geometric mean of the values for the effluent samples collected in a calendar month. The geometric mean shall be determined by calculating the n th root of the product of all measurements made in a calendar month, where n equals the number of measurements made; or computed as the antilogarithm of the arithmetic mean of the logarithms of all measurements made in a calendar month. For any measurement of bacteria equaling zero, a substitute value of one shall be made for input into either computation method. If specified, the 7-day average for bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.
- f. Daily average loading (lbs/day) - the arithmetic average of all daily discharge loading calculations during a period of one calendar month. These calculations must be made for each day of the month that a parameter is analyzed. The daily discharge, in terms of mass (lbs/day), is calculated as $(\text{Flow, MGD} \times \text{Concentration, mg/L} \times 8.34)$.
- g. Daily maximum loading (lbs/day) - the highest daily discharge, in terms of mass (lbs/day), within a period of one calendar month.

3. Sample Type

- a. Composite sample - For domestic wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(a). For industrial wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(c).
 - b. Grab sample - an individual sample collected in less than 15 minutes.
- 4. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation and/or disposal of domestic sewage, industrial wastes, agricultural wastes, recreational wastes, or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.
 - 5. The term "sewage sludge" is defined as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in 30 TAC Chapter 312. This includes the solids that have not been classified as hazardous waste separated from wastewater by unit processes.
 - 6. Bypass - the intentional diversion of a waste stream from any portion of a treatment facility.

MONITORING AND REPORTING REQUIREMENTS**1. Self-Reporting**

Monitoring results shall be provided at the intervals specified in the permit. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting in accordance with 30 TAC §§319.4 - 319.12.

Unless otherwise specified, a monthly effluent report shall be submitted each month, to the Enforcement Division (MC 224), by the 20th day of the following month for each discharge that is described by this permit whether or not a discharge is made for that month. Monitoring results must be reported on an approved self-report form that is signed and certified as required by Monitoring and Reporting Requirements No. 10.

As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Clean Water Act; TWC Chapters 26, 27, and 28; and THSC Chapter 361, including but not limited to knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, or falsifying, tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit or violating any other requirement imposed by state or federal regulations.

2. Test Procedures

- a. Unless otherwise specified in this permit, test procedures for the analysis of pollutants shall comply with procedures specified in 30 TAC §§319.11 - 319.12. Measurements, tests, and calculations shall be accurately accomplished in a representative manner.
- b. All laboratory tests submitted to demonstrate compliance with this permit must meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

3. Records of Results

- a. Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.
- b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, records of all data used to complete the application for this permit, and the certification required by 40 CFR §264.73(b)(9) shall be retained at the facility site, or shall be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification. This period shall be extended at the request of the Executive Director.
- c. Records of monitoring activities shall include the following:
 - i. date, time, and place of sample or measurement;
 - ii. identity of individual who collected the sample or made the measurement;
 - iii. date and time of analysis;
 - iv. identity of the individual and laboratory who performed the analysis;
 - v. the technique or method of analysis; and
 - vi. the results of the analysis or measurement and quality assurance/quality control records.

The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit using approved analytical methods as specified above, all results of such monitoring shall be included in the calculation and reporting of the values submitted on the approved self-report form. Increased frequency of sampling shall be indicated on the self-report form.

5. Calibration of Instruments

All automatic flow measuring or recording devices and all totalizing meters for measuring flows shall be accurately calibrated by a trained person at plant start-up and as often thereafter as necessary to ensure accuracy, but not less often than annually unless authorized by the Executive Director for a longer period. Such person shall verify in writing that the device is operating properly and giving accurate results. Copies of the verification shall be retained at the facility site and/or shall be readily available for review by a TCEQ representative for a period of three years.

6. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date to the Regional Office and the Enforcement Division (MC 224).

7. Noncompliance Notification

- a. In accordance with 30 TAC §305.125(9) any noncompliance that may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Report of such information shall be provided orally or by facsimile transmission (FAX) to the Regional Office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the Regional Office and the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.
 - b. The following violations shall be reported under Monitoring and Reporting Requirement 7.a.:
 - i. unauthorized discharges as defined in Permit Condition 2(g).
 - ii. any unanticipated bypass that exceeds any effluent limitation in the permit.
 - iii. violation of a permitted maximum daily discharge limitation for pollutants listed specifically in the Other Requirements section of an Industrial TPDES permit.
 - c. In addition to the above, any effluent violation that deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the Regional Office and the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.
 - d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Enforcement Division (MC 224) as promptly as possible. For effluent limitation violations, noncompliances shall be reported on the approved self-report form.
8. In accordance with the procedures described in 30 TAC §§35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.

9. Changes in Discharges of Toxic Substances

All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the Regional Office, orally or by facsimile transmission within 24 hours, and both the Regional Office and the Enforcement Division (MC 224) in writing within five (5) working days, after becoming aware of or having reason to believe:

- a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D, Tables II and III (excluding Total Phenols) that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - i. one hundred micrograms per liter (100 µg/L);
 - ii. two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - iii. five (5) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. the level established by the TCEQ.
- b. That any activity has occurred or will occur that would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - i. five hundred micrograms per liter (500 µg/L);
 - ii. one milligram per liter (1 mg/L) for antimony;
 - iii. ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. the level established by the TCEQ.

10. Signatories to Reports

All reports and other information requested by the Executive Director shall be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

11. All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Executive Director of the following:

- a. any new introduction of pollutants into the POTW from an indirect discharger that would be subject to CWA §301 or §306 if it were directly discharging those pollutants;
- b. any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit; and
- c. for the purpose of this paragraph, adequate notice shall include information on:
 - i. the quality and quantity of effluent introduced into the POTW; and
 - ii. any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

PERMIT CONDITIONS

1. General

- a. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in an application or in any report to the Executive Director, it shall promptly submit such facts or information.

- b. This permit is granted on the basis of the information supplied and representations made by the permittee during action on an application, and relying upon the accuracy and completeness of that information and those representations. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked, in whole or in part, in accordance with 30 TAC Chapter 305, Subchapter D, during its term for good cause including, but not limited to, the following:
 - i. violation of any terms or conditions of this permit;
 - ii. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
 - iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- c. The permittee shall furnish to the Executive Director, upon request and within a reasonable time, any information to determine whether cause exists for amending, revoking, suspending, or terminating the permit. The permittee shall also furnish to the Executive Director, upon request, copies of records required to be kept by the permit.

2. Compliance

- a. Acceptance of the permit by the person to whom it is issued constitutes acknowledgment and agreement that such person will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.
- b. The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code, and is grounds for enforcement action, for permit amendment, revocation, or suspension, or for denial of a permit renewal application or an application for a permit for another facility.
- c. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- d. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.
- e. Authorization from the Commission is required before beginning any change in the permitted facility or activity that may result in noncompliance with any permit requirements.
- f. A permit may be amended, suspended and reissued, or revoked for cause in accordance with 30 TAC §§305.62 and 305.66 and TWC §7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- g. There shall be no unauthorized discharge of wastewater or any other waste. For the purpose of this permit, an unauthorized discharge is considered to be any discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall or otherwise defined in the Other Requirements section of this permit.
- h. In accordance with 30 TAC §305.535(a), the permittee may allow any bypass to occur from a TPDES permitted facility that does not cause permitted effluent limitations to be exceeded or an unauthorized discharge to occur, but only if the bypass is also for essential maintenance to assure efficient operation.
- i. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code §§7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties) for violations including, but not limited to, negligently or knowingly violating the federal CWA §§301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a

permit issued under the CWA §402, or any requirement imposed in a pretreatment program approved under the CWA §§402(a)(3) or 402(b)(8).

3. Inspections and Entry

- a. Inspection and entry shall be allowed as prescribed in the TWC Chapters 26, 27, and 28, and THSC Chapter 361.
- b. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water in the state or the compliance with any rule, regulation, permit, or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the Executive Director may invoke the remedies authorized in TWC §7.002. The statement above, that Commission entry shall occur in accordance with an establishment's rules and regulations concerning safety, internal security, and fire protection, is not grounds for denial or restriction of entry to any part of the facility, but merely describes the Commission's duty to observe appropriate rules and regulations during an inspection.

4. Permit Amendment or Renewal

- a. The permittee shall give notice to the Executive Director as soon as possible of any planned physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements. Notice shall also be required under this paragraph when:
 - i. the alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in accordance with 30 TAC §305.534 (relating to New Sources and New Dischargers); or
 - ii. the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements in Monitoring and Reporting Requirements No. 9; or
 - iii. the alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- b. Prior to any facility modifications, additions, or expansions that will increase the plant capacity beyond the permitted flow, the permittee must apply for and obtain proper authorization from the Commission before commencing construction.
- c. The permittee must apply for an amendment or renewal at least 180 days prior to expiration of the existing permit in order to continue a permitted activity after the expiration date of the permit. If an application is submitted prior to the expiration date of the permit, the existing permit shall remain in effect until the application is approved, denied, or returned. If the application is returned or denied, authorization to continue such activity shall terminate upon the effective date of the action. If an application is not submitted prior to the expiration date of the permit, the permit shall expire and authorization to continue such activity shall terminate.

- d. Prior to accepting or generating wastes that are not described in the permit application or that would result in a significant change in the quantity or quality of the existing discharge, the permittee must report the proposed changes to the Commission. The permittee must apply for a permit amendment reflecting any necessary changes in permit conditions, including effluent limitations for pollutants not identified and limited by this permit.
- e. In accordance with the TWC §26.029(b), after a public hearing, notice of which shall be given to the permittee, the Commission may require the permittee, from time to time, for good cause, in accordance with applicable laws, to conform to new or additional conditions.
- f. If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under CWA §307(a) for a toxic pollutant that is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition.

The permittee shall comply with effluent standards or prohibitions established under CWA §307(a) for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

5. Permit Transfer

- a. Prior to any transfer of this permit, Commission approval must be obtained. The Commission shall be notified in writing of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Applications Review and Processing Team (MC 148) of the Water Quality Division.
- b. A permit may be transferred only according to the provisions of 30 TAC §305.64 (relating to Transfer of Permits) and 30 TAC §50.133 (relating to Executive Director Action on Application or WQMP update).

6. Relationship to Hazardous Waste Activities

This permit does not authorize any activity of hazardous waste storage, processing, or disposal that requires a permit or other authorization pursuant to the Texas Health and Safety Code.

7. Relationship to Water Rights

Disposal of treated effluent by any means other than discharge directly to water in the state must be specifically authorized in this permit and may require a permit pursuant to Texas Water Code Chapter 11.

8. Property Rights

A permit does not convey any property rights of any sort, or any exclusive privilege.

9. Permit Enforceability

The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

10. Relationship to Permit Application

The application pursuant to which the permit has been issued is incorporated herein; provided, however, that in the event of a conflict between the provisions of this permit and the application, the provisions of the permit shall control.

11. Notice of Bankruptcy.

- a. Each permittee shall notify the executive director, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of Title 11 (Bankruptcy) of the United States Code (11 USC) by or against:
 - i. the permittee;
 - ii. an entity (as that term is defined in 11 USC, §101(15)) controlling the permittee or listing the permit or permittee as property of the estate; or
 - iii. an affiliate (as that term is defined in 11 USC, §101(2)) of the permittee.
- b. This notification must indicate:
 - i. the name of the permittee;
 - ii. the permit number(s);
 - iii. the bankruptcy court in which the petition for bankruptcy was filed; and
 - iv. the date of filing of the petition.

OPERATIONAL REQUIREMENTS

1. The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. This includes, but is not limited to, the regular, periodic examination of wastewater solids within the treatment plant by the operator in order to maintain an appropriate quantity and quality of solids inventory as described in the various operator training manuals and according to accepted industry standards for process control. Process control, maintenance, and operations records shall be retained at the facility site, or shall be readily available for review by a TCEQ representative, for a period of three years.
2. Upon request by the Executive Director, the permittee shall take appropriate samples and provide proper analysis in order to demonstrate compliance with Commission rules. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all applicable provisions of 30 TAC Chapter 312 concerning sewage sludge use and disposal and 30 TAC §§319.21 - 319.29 concerning the discharge of certain hazardous metals.
3. Domestic wastewater treatment facilities shall comply with the following provisions:
 - a. The permittee shall notify the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.
 - b. The permittee shall submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment and/or other treatment unit regulated by this permit.
4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater.
5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.
6. The permittee shall remit an annual water quality fee to the Commission as required by 30 TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under TWC §7.302(b)(6).

7. Documentation

For all written notifications to the Commission required of the permittee by this permit, the permittee shall keep and make available a copy of each such notification under the same conditions as self-monitoring data are required to be kept and made available. Except for information required for TPDES permit applications, effluent data, including effluent data in permits, draft permits and permit applications, and other information specified as not confidential in 30 TAC §1.5(d), any information submitted pursuant to this permit may be claimed as confidential by the submitter. Any such claim must be asserted in the manner prescribed in the application form or by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, information may be made available to the public without further notice. If the Commission or Executive Director agrees with the designation of confidentiality, the TCEQ will not provide the information for public inspection unless required by the Texas Attorney General or a court pursuant to an open records request. If the Executive Director does not agree with the designation of confidentiality, the person submitting the information will be notified.

8. Facilities that generate domestic wastewater shall comply with the following provisions; domestic wastewater treatment facilities at permitted industrial sites are excluded.

- a. Whenever flow measurements for any domestic sewage treatment facility reach 75% of the permitted daily average or annual average flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion and/or upgrading of the domestic wastewater treatment and/or collection facilities. Whenever the flow reaches 90% of the permitted daily average or annual average flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment and/or collection facilities. In the case of a domestic wastewater treatment facility that reaches 75% of the permitted daily average or annual average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission.

If in the judgment of the Executive Director the population to be served will not cause permit noncompliance, then the requirement of this section may be waived. To be effective, any waiver must be in writing and signed by the Director of the Enforcement Division (MC 149) of the Commission, and such waiver of these requirements will be reviewed upon expiration of the existing permit; however, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.

- b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission, and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.
 - c. Permits for domestic wastewater treatment plants are granted subject to the policy of the Commission to encourage the development of area-wide waste collection, treatment, and disposal systems. The Commission reserves the right to amend any domestic wastewater permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an area-wide system, should such be developed; to require the delivery of the wastes authorized to be collected in, treated by or discharged from said system, to such area-wide system; or to amend this permit in any other particular to effectuate the Commission's policy. Such amendments may be made when the changes required are advisable for water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any then existing or proposed waste collection, treatment or disposal system.
9. Domestic wastewater treatment plants shall be operated and maintained by sewage plant operators holding a valid certificate of competency at the required level as defined in 30 TAC Chapter 30.

10. For Publicly Owned Treatment Works (POTWs), the 30-day average (or monthly average) percent removal for BOD and TSS shall not be less than 85%, unless otherwise authorized by this permit.
11. Facilities that generate industrial solid waste as defined in 30 TAC §335.1 shall comply with these provisions:
 - a. Any solid waste, as defined in 30 TAC §335.1 (including but not limited to such wastes as garbage, refuse, sludge from a waste treatment, water supply treatment plant or air pollution control facility, discarded materials, discarded materials to be recycled, whether the waste is solid, liquid, or semisolid), generated by the permittee during the management and treatment of wastewater, must be managed in accordance with all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.
 - b. Industrial wastewater that is being collected, accumulated, stored, or processed before discharge through any final discharge outfall, specified by this permit, is considered to be industrial solid waste until the wastewater passes through the actual point source discharge and must be managed in accordance with all applicable provisions of 30 TAC Chapter 335.
 - c. The permittee shall provide written notification, pursuant to the requirements of 30 TAC §335.8(b)(1), to the Corrective Action Section (MC 127) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.
 - d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Permitting and Remediation Support Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC §335.5.
 - e. The term "industrial solid waste management unit" means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.
 - f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:
 - i. volume of waste and date(s) generated from treatment process;
 - ii. volume of waste disposed of on-site or shipped off-site;
 - iii. date(s) of disposal;
 - iv. identity of hauler or transporter;
 - v. location of disposal site; and
 - vi. method of final disposal.

The above records shall be maintained on a monthly basis. The records shall be retained at the facility site, or shall be readily available for review by authorized representatives of the TCEQ for at least five years.

12. For industrial facilities to which the requirements of 30 TAC Chapter 335 do not apply, sludge and solid wastes, including tank cleaning and contaminated solids for disposal, shall be disposed of in accordance with THSC Code Chapter 361.

OTHER REQUIREMENTS

1. Definitions (40 CFR Part 429):

- a. The term "debris" means woody material such as bark, twigs, branches, heart wood, or sapwood that will not pass through a 2.54 cm (1.0 inch) diameter round opening and is present in the discharge from a wet storage facility.
- b. Process Wastewater
 - i. In general terminology the term "process wastewater" means any water which, during manufacturing or processing comes into direct contact with or results from the production of, or use of any raw material, intermediate product, finished product, by-product, or waste product.
 - ii. For operations at this facility that are covered under the Timber Products Processing Point Source Category, the term "process wastewater" specifically excludes noncontact cooling water, material storage yard runoff [either from raw material (i.e., wet decking water) or from processed wood storage], and boiler blowdown. For Sawmills and Planning Mills Subcategory, fire control water is excluded from the definition of process wastewater. Process wastewater is defined as effluent from the following processes: bark removal, conditioning (hot water vats and steam vats), sawing, re-sawing, chipping, edging, trimming, planning, machining, gluing, pressing, drying (includes kiln condensate), preserving (chemical) and finishing.
- c. The definition of "utility wastewater" includes, but not limited to, boiler blowdown and steam condensate.

2. There shall be no discharge of process wastewater defined in Item 1.b. above. The discharge of kiln condensate from this facility is prohibited.
3. In accordance with Subpart I of 40 CFR §429.101, there shall be no discharge of debris via Outfall 001. Grates, screens, other control devices, or best management practices shall be utilized to prevent the discharge of any debris.
4. Mixing zone is not established for discharges via Outfall 001 to an intermittent stream. Acute toxic criteria apply at the point discharge.
5. Violations of daily maximum limitations for the following pollutants shall be reported orally or by facsimile to TCEQ Region 12, within 24 hours from the time the permittee becomes aware of the violation followed by a written report within five working days to TCEQ Region 12 (MC R12) and the Enforcement Division (MC 224): None.
6. Discharge of domestic sewage is prohibited. All sewage shall be routed to the On-site Sewage Facility authorized by the local authority. The on-site sewage treatment system shall be operated in a manner to prevent runoff of irrigation waters from the land application area into the wet decking area or the storage and settling pond.

7. Ponds

- a. Subsequent to the date of issuance of this permit, all new and modified wastewater ponds must be lined in compliance with one of the following requirements:
 - i. Soil Liner: The soil liner must contain clay-rich soil material (at least 30% of the liner material passing through a #200 mesh sieve, liquid limit greater than or equal to 30, and plasticity index greater than or equal to 15) along the sides and bottom of the pond. The liner material must be compacted in lifts of no more than 8 inches to 95% standard proctor density at the optimum moisture content in accordance with ASTM D 698 to achieve permeability equal to or less than 1×10^{-7} cm/sec. The liner must be a minimum thickness of 2.0 feet for water depths less than or equal to 8.0 feet and a minimum thickness of 3.0 feet for water depths greater than 8.0 feet.
 - ii. Synthetic/Plastic/Rubber Liner: The liner must: (a) be made of either a plastic or a rubber membrane of at least 40 mils in thickness, (b) completely cover the sides and the bottom of the pond, and (c) not be subject to degradation due to reaction with wastewater with which it will come into contact. If this lining material is vulnerable to ozone or ultraviolet deterioration, it must be covered with a protective layer of soil of at least six inches in thickness. A wastewater pond with a membrane liner must include an underdrain with a leachate detection and collection system.
 - iii. Alternate Liner: The permittee must submit plans for any other pond lining method. Pond liner plans must be approved in writing by the Executive Director of the TCEQ prior to pond construction.
- b. The permittee shall provide certification, signed and sealed by a Texas-licensed professional engineer, that the completed pond lining and any required underdrain with leachate detection and collection system for the pond meet the above requirements prior to utilization of the facilities. The certification must be provided to the TCEQ's Water Quality Assessment Team (MC-150), Water Quality Compliance Monitoring Team (MC-224), and the Regional Office (MC R12). A copy of the liner certification must be kept on-site for future reference. Also, liner and any underdrain construction details (i.e., as-built drawings) for the pond shall be provided to the TCEQ's Water Quality Assessment Team (MC-150), Water Quality Compliance Monitoring Team (MC-224), and the Regional Office (MC R12) upon the completion of construction.
- c. The permittee shall notify the TCEQ's Regional Office (MC R12) upon completion of construction of any pond and at least a week prior to its use.
- d. The permittee shall maintain a minimum two-foot freeboard for all wastewater ponds that contain wastes designated for land application.
- e. At least once per month, the permittee shall inspect pond leak detection systems that are in service. Leaking ponds shall be removed from service either until repairs are made or replacement ponds are constructed.
- f. The liner must be re-certified by a Texas-licensed professional engineer ensuring that the liner for the wastewater pond meets the above requirements each time the liner undergoes repair, or each time sediments are cleaned from the pond.

Within 45 days of completion of repair or cleaning, liner certifications shall be provided to the TCEQ's Water Quality Assessment Team (MC-150), Water Quality Compliance Monitoring Team (MC-224), and the Regional Office (MC R12). A copy of the liner certification shall be kept on-site for future reference.

8. As described in 30 TAC §307.4(b), effluent discharged shall not cause substantial or persistent changes from the ambient conditions of turbidity or color of the receiving stream. Wastewater shall be maintained and treated to prevent nuisance conditions in ponds and the receiving stream.
9. This permit only authorizes discharges that occur as a result of a rainfall event or that are associated with a rainfall event. The permittee may discharge during rainfall events at the plant site and for a reasonable time (not to exceed 24 hours) after the rainfall has ceased at the plant site. This permit prohibits discharge during dry conditions of the receiving water. The permittee shall install a rain gauge and keep daily records of the rainfall amounts associated when discharge events occur.
10. Wastewater discharged via Outfall 001 must be sampled and analyzed for those parameters listed on Table 1 in Attachment 1 of this permit for a minimum of four (4) separate sampling events which are a minimum of one (1) week apart. Attachment 1 must be completed with analytical results for discharges via Outfall 001 and submitted to the Industrial Permits Team (MC-148) in the Wastewater Permitting Section of the TCEQ, within 90 days of permit issuance or within 60 days of collection of each sample, whichever occurs earlier. In each submission, analytical data from all prior sampling events conducted for compliance with this requirement must be included, along with the calculated arithmetic average value for each parameter, except for pH and dissolved oxygen; for pH, the maximum and the minimum values must be reported; for dissolved oxygen, the minimum value must be reported. Analytical data collected at Outfall 001 during any sampling event within 365 days prior to the permit issuance may be used for compliance with this requirement. Based on a technical review of the submitted analytical results, an amendment may be initiated by TCEQ staff to include additional effluent limitations, monitoring requirements, permit conditions, or a combination of these measures.
11. Wastewater discharged via Outfall 001 must be sampled and analyzed for those parameters listed on Tables 1 and 2 in Attachment 2 of this permit for one sampling event. Attachment 2 must be completed with analytical results for discharges via Outfall 001 and submitted to the Industrial Permits Team (MC-148) in the Wastewater Permitting Section of the TCEQ, within 90 days of permit issuance or within 60 days of sample collection, whichever occurs earlier. Analytical data collected at Outfall 001 during any sampling event within 365 days prior to the permit issuance may be used for compliance with this requirement. Based on a technical review of the submitted analytical results, an amendment may be initiated by TCEQ staff to include additional effluent limitations, monitoring requirements, permit conditions, or a combination of these measures.
12. Within 180 days from the date of issuance of the permit, the permittee is required to initiate and complete an investigation to determine the cause of elevated total suspended solids levels in discharges via Outfall 001. Additionally, the permittee is required to perform a corrective action if necessary, and ensure that future discharges do not contain elevated levels of total suspended solids at Outfall 001. The investigation and any corrective action report shall be submitted to the Industrial Permits Team, Wastewater Permitting Section (MC 148) within 180 days from the date of issuance of the permit. This permit may be reopened by staff to include additional effluent limitations, monitoring requirements, permit conditions, or a combination of these measures.

13. The permittee shall sample effluent for naturally occurring radioactive materials (NORM) at Outfall 001 one time following the first discharge after issuance of this permit. The permittee shall have the sample analyzed by a certified laboratory accredited by the TCEQ using accredited laboratory methods for the following NORM:

Pollutant	Minimum Detection Level
Gross alpha particle activity	3 pCi/L
Gross beta particle and photon emitters	3 pCi/L
Radium 226	1 pCi/L
Radium 228	1 pCi/L
Uranium, Total	1 µg/L

The permittee shall submit the water quality analyses to the TCEQ Water Quality Assessment Team (MC-150) and the Industrial Permits Team (MC-148) upon initial discharge. The TCEQ may require additional testing or may amend the permit, pursuant to 30 TAC Section 305.62, based on its review of the test results. The permittee must be in compliance with 25 TAC Chapter 289, as applicable.

ATTACHMENT 1 - TABLE 1

Outfall No.: <input type="checkbox"/> C <input type="checkbox"/> G	Effluent Concentration (µg/L) (*1)					
Pollutants	Sample 1	Sample 2	Sample 3	Sample 4	Average	MAL (µg/L)
Benzene						10
Benzidine						50
Benzo(a)anthracene						10
Benzo(a)pyrene						10
Carbon Tetrachloride						10
Chlorobenzene						10
Chloroform						10
Chrysene						10
Cresols						(*2)
Dibromochloromethane						10
1,2-Dibromoethane						2
1,4-Dichlorobenzene						10
1,2-Dichloroethane						10
1,1-Dichloroethylene						10
Fluoride						500
Hexachlorobenzene						10
Hexachlorobutadiene						10
Hexachloroethane						20
Methyl Ethyl Ketone						50
Nitrobenzene						10
n-Nitrosodiethylamine						20
n-Nitroso-di-n-Butylamine						20
PCB's, Total (*3)						1
Pentachlorobenzene						20
Pentachlorophenol						50
Phenanthrene						10
Pyridine						20
1,2,4,5-Tetrachlorobenzene						20
Tetrachloroethylene						10
Trichloroethylene						10
1,1,1-Trichloroethane						10
2,4,5-Trichlorophenol						50
TTHM (Total Trihalomethanes)						10
Vinyl Chloride						10

(*1) Indicates units if different from µg/L.

(*2) MAL's for Cresols: p-Chloro-m-Creso 10 µg/L; 4,6-Dinitro-o-Cresol 50 µg/L; p-Cresol 10 µg/L.

(*3) Total PCB-1242, PCB-1254, PCB-1221, PCB-1232, PCB-1248, PCB-1260, PCB-1016.

ATTACHMENT 2 - TABLE 1

Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Effluent Concentration
Pollutant		
Color, PCU		
Total Iron, mg/L		

ATTACHMENT 2 - TABLE 2

Outfall No.: _____ <input type="checkbox"/> C <input type="checkbox"/> G		
Pollutants	Concentration, µg/L	MAL (µg/L)
VOLATILE COMPOUNDS		
Acrolein		50
Acrylonitrile		50
Benzene		10
Bromoform		10
Carbon Tetrachloride		10
Chlorobenzene		10
Chlorodibromomethane		10
Chloroethane		50
2-Chloroethylvinyl Ether		10
Chloroform		10
Dichlorobromomethane		10
1,1-Dichloroethane		10
1,2-Dichloroethane		10
1,1-Dichloroethylene		10
1,2-Dichloropropane		10
1,3-Dichloropropylene		10
Ethylbenzene		10
Methyl Bromide		50
Methyl Chloride		50
Methylene Chloride		20
1,1,2,2-Tetrachloroethane		10
Tetrachloroethylene		10
Toluene		10
1,2-Trans-Dichloroethylene		10
1,1,1-Trichloroethane		10
1,1,2-Trichloroethane		10
Trichloroethylene		10
Vinyl Chloride		10

Pollutants	Concentration, µg/L	MAL, µg/L
ACID COMPOUNDS		
2-Chlorophenol		10
2,4-Dichlorophenol		10
2,4-Dimethylphenol		10
4,6-Dinitro-o-Cresol		50
2,4-Dinitrophenol		50
2-Nitrophenol		20
4-Nitrophenol		50
P-Chloro-m-Cresol		10
Pentalchlorophenol		50
Phenol		10
2,4,6-Trichlorophenol		10
BASE/NEUTRAL COMPOUNDS		
Acenaphthene		10
Acenaphthylene		10
Anthracene		10
Benzidine		50
Benzo(a)Anthracene		10
Benzo(a)Pyrene		10
3,4-Benzofluoranthene		10
Benzo(ghi)Perylene		20
Benzo(k)Fluoranthene		10
Bis(2-Chloroethoxy)Methane		10
Bis(2-Chloroethyl)Ether		10
Bis(2-Chloroisopropyl)Ether		10
Bis(2-Ethylhexyl)Phthalate		10
4-Bromophenyl Phenyl Ether		10
Butylbenzyl Phthalate		10
2-chloronaphthalene		10
4-chlorophenyl phenyl ether		10
Chrysene		10
Dibenzo(a,h)Anthracene		20
1,2-Dichlorobenzene		10
1,3-Dichlorobenzene		10
1,4-Dichlorobenzene		10
3,3-Dichlorobenzidine		50
Diethyl Phthalate		10
Dimethyl Phthalate		10
Di-n-Butyl Phthalate		10
2,4-Dinitrotoluene		10
2,6-Dinitrotoluene		10

BASE/NEUTRAL COMPOUNDS (Continued)		
Pollutants	Concentration, µg/L	MAL, µg/L
Di-n-Octyl Phthalate		10
1,2-Diphenyl Hydrazine (as Azobenzene)		20
Fluoranthene		10
Fluorene		10
Hexachlorobenzene		10
Hexachlorobutadiene		10
Hexachlorocyclopentadiene		10
Hexachloroethane		20
Indeno(1,2,3-cd)pyrene		20
Isophorone		10
Naphthalene		10
Nitrobenzene		10
N-Nitrosodimethylamine		50
N-Nitrosodi-n-Propylamine		20
N-Nitrosodiphenylamine		20
Phenanthrene		10
Pyrene		10
1,2,4-Trichlorobenzene		10
PESTICIDES		
Aldrin		0.05
alpha-BHC		0.05
beta-BHC		0.05
gamma-BHC		0.05
delta-BHC		0.05
Chlordane		0.15
4,4-DDT		0.1
4,4-DDE		0.1
Dieldrin		0.1
alpha-Endosulfan		0.1
beta-Endosulfan		0.1
Endosulfan Sulfate		0.1
Endrin		0.1
Endrin Aldehyde		0.1
Heptachlor		0.05
Heptachlor Epoxide		
PCB-1254		1.0
PCB-1221		1.0
PCB-1242		
PCB-1232		1.0
PCB-1248		1.0
PCB-1260		1.0

BASE/NEUTRAL COMPOUNDS (Continued)		
Pollutants	Concentration, µg/L	MAL, µg/L
PCB-1016		1.0
Toxaphene		5.0

ATTACHMENT B

STATEMENT OF BASIS/TECHNICAL SUMMARY AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

DESCRIPTION OF APPLICATION

Applicant: Steely Lumber Co., Inc.; Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0004249000 (TX0123421)

Regulated Activity: Industrial Wastewater Permit

Type of Application: Renewal

Request: Renewal without Changes

Authority: Federal Clean Water Act §402; Texas Water Code §26.027; 30 Texas Administrative Code (TAC) Chapter 305, Subchapters C-F, Chapters 307 and 319, Commission Policies; and United States Environmental Protection Agency (EPA) Guidelines

EXECUTIVE DIRECTOR RECOMMENDATION

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. It is proposed the permit be issued to expire on July 1, 2018 in accordance with 30 TAC §305.71, Basin Permitting.

REASON FOR PROJECT PROPOSED

The applicant has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of its existing permit.

PROJECT DESCRIPTION AND LOCATION

The applicant operates Steely Lumber Wastewater Treatment Plant, a saw mill that produces lumber, wood chips, fractionated wood, and humus.

The wastewater treatment system consists of wastewater storage and settling pond (Pond). On-site stormwater is collected in the Pond and is used as the source of wet decking water for the wood logs stored onsite. The Pond is located down gradient of two wet log storage areas to collect runoff from wet decking operations. Additionally, a small volume of steam condensate from boiler-generated steam and boiler blowdown is routed from the facility's wood drying operation to the Pond and commingled with the ponded wastewater. Discharges via Outfall 001 occur when the volume of the ponded wastewater exceeds the capacity of the Pond.

Domestic wastewater is routed to a registered Onsite Sewage Facility that consists of an Aqua Safe extended-aeration system with a 500-gallon pretreatment tank, a 500-gallon treatment tank and a 750-gallon pump tank. Domestic wastewater is chlorinated in the treatment tank. Treated domestic wastewater is discharged via three sprinkler heads for irrigation. Sludge from the septic system is pumped and transported offsite by a contracted hauler.

The plant site is located at 1405 Southwood Drive, approximately 1.5 miles east of the intersection of U.S. Highway 75 and Southwood Drive and approximately 2.5 miles southeast of the City of Huntsville, Walker County, Texas 77340.

The effluent is discharged to an unnamed ditch; thence to Shepherd Creek; thence to Winters Bayou; thence to East Fork San Jacinto River in Segment No. 1003 of the San Jacinto River Basin. The unclassified receiving waters have minimal aquatic life use for the unnamed ditch. The designated uses for Segment No. 1003 are high aquatic life use, contact recreation, and public water supply.

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The effluent limits in the draft permit will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and revisions.

The discharge from this permit action is not expected to have an effect on any federal endangered or threatened aquatic or aquatic dependent species or proposed species or their critical habitat. This determination is based on the United States Fish and Wildlife Service's (USFWS) biological opinion on the State of Texas authorization of the TPDES (September 14, 1998; October 21, 1998 update). To make this determination for TPDES permits, TCEQ and EPA only considered aquatic or aquatic dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the USFWS biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. The permit does not require EPA review with respect to the presence of endangered or threatened species.

Segment 1003 is currently listed on the State's inventory of impaired and threatened waters (the 2010 Clean Water Act Section 303(d) list). The listing is specifically for elevated bacteria levels from the Caney Creek confluence upstream to U.S. Highway 190 (upper segment boundary) (AUs 1003_01, 1003_02, and 1003_03). Discharges from this facility are not expected to contribute to this impairment because Other Requirement No. 6 in the draft permit prohibits the discharge of domestic sewage, which is a known source of bacteria, and the compliance history for this facility between December 2007 and January 2013 is satisfactory.

SUMMARY OF EFFLUENT DATA

The following is a quantitative description of the discharge described in the Monthly Effluent Report data for the period December 2007 through December 2012. The "Average of Daily Avg." values presented in the following table are the average of all daily average values for the reporting period for each parameter. The "Maximum of Daily Max." values presented in the following table are the individual maximum values for the reporting period for each parameter:

Flow

<u>Outfall</u>	<u>Frequency</u>	<u>Average of Daily Avg., MGD</u>	<u>Maximum of Daily Max., MGD</u>
001	1/day	2017	7988

Effluent Characteristics

<u>Outfall</u>	<u>Parameter</u>	<u>Average of Daily Avg</u>	<u>Maximum of Daily Max</u>
001	Chemical Oxygen Demand	N/A	186 mg/L
	Oil and Grease	N/A	< 5 mg/L
	Carbonaceous Biochemical Oxygen Demand (5-day)	N/A	116 mg/L
	Total Suspended Solids	N/A	1,384 mg/L
	Ammonia (as Nitrogen)	N/A	0.4 mg/L
	Dissolved Oxygen	4.4 mg/L (min.)	N/A
	pH (standard units)	(6.57, min.)	(7.62, max.)

A review of the self-reported data for discharges via Outfall 001 in the past five-year period indicated that the reported carbonaceous biochemical oxygen demand concentration of 116 mg/L exceeded its daily maximum effluent limitation of 35 mg/L in January 2012; the reported total suspended solids concentration of 1,384 mg/L exceeded its daily maximum effluent limitation of 60 mg/L in January 2012;

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and the reported total suspended solids concentration of 231 mg/L exceeded its daily maximum effluent limitation of 60 mg/L in March 2012. No permit action was deemed necessary to address the lone effluent limitation exceedance for carbonaceous biochemical oxygen demand.

Other Requirement No. 12 was included in the draft permit to require the permittee to investigate the reason(s) for elevated levels of total suspended solids in discharges via Outfall 001, conduct a corrective action if necessary, and report information on findings and any corrective action to the Industrial Permits Team within 180 days of permit issuance.

DRAFT PERMIT CONDITIONS

The draft permit authorizes the discharge of wet decking wastewater, utility wastewater, and stormwater runoff on an intermittent and flow variable basis via Outfall 001.

Final effluent limitations are established in the draft permit as follows:

<u>Outfall Number</u>	<u>Pollutant</u>	<u>Daily Average</u>	<u>Daily Maximum</u>
001	Flow	Report, MGD	Report, MGD
	Chemical Oxygen Demand	N/A	Report, mg/L
	Oil and Grease	N/A	15 mg/L
	Carbonaceous Biochemical		
	Oxygen Demand (5-day)	N/A	35 mg/L
	Total Suspended Solids	N/A	60 mg/L
	Ammonia, as Nitrogen	N/A	15 mg/L
	Dissolved Oxygen	4.0 mg/L, minimum	
	pH (standard units)	(6.0, minimum)	(9.0, maximum)

Regulations promulgated in Title 40 of the Code of Federal Regulations (40 CFR) require technology-based limitations be placed in wastewater discharge permits based on effluent limitations guidelines, where applicable, or on best professional judgment (BPJ) in the absence of guidelines. The discharge of wastewater associated with the wet storage of unprocessed wood (i.e., wet decking) is regulated under 40 CFR Part 429, Subpart I. Effluent limitations for pH were continued from the existing permit and were based on 40 CFR § 429.101. The facility's sawmill operations are regulated under 40 CFR Part 429, Subpart K. Other Requirements No. 1, 2, and 3, which were continued from the existing permit, were based on the 40 CFR Part 429, Subparts I and K. Monitoring requirements for chemical oxygen demand and effluent limitation for oil and grease, which were established based on BPJ, were continued from the existing permit. Effluent limitations for carbonaceous biochemical oxygen demand (5-day), total suspended solids, ammonia, as nitrogen, and dissolved oxygen were based on water shed protection rule at 30 TAC § 311.33, and were continued from the existing permit based on BPJ.

Calculations of water quality-based effluent limitations for the protection of aquatic life and human health are presented in Appendix A. Aquatic life criteria established in Table 1 and human health criteria established in Table 2 of 30 TAC Chapter 307 are incorporated into the calculations as well as recommendations in the Water Quality Assessment Team's Interoffice Memorandum dated January 9, 2013. The TCEQ's practice for determining significant potential is to compare the reported analytical data from the facility against percentages of the calculated daily average water quality-based effluent limitation. Permit limitations are required when analytical data reported in the application exceeds 85 percent of the calculated daily average water quality-based effluent limitation. Monitoring and reporting is required when analytical data reported in the application exceeds 70 percent of the calculated daily average water quality-based effluent limitation.

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Partial analytical data provided by the permittee did not demonstrate a significant potential to exceed water quality-based effluent limitations calculated in Appendix A.

The permittee was unable to conduct additional sampling events prior to drafting of this permit because intermittent discharges via Outfall 001 are driven by stormwater, and no discharges were made via Outfall 001 after submission of the initial incomplete data by the permittee. Therefore, Other Requirement Nos. 10 and 11 were included in the draft permit to require the permittee to submit analytical data after permit issuance. Based on a technical review of the submitted analytical results, an amendment may be initiated by TCEQ staff to include additional effluent limitations, monitoring requirements, permit conditions, or a combination of these measures.

Biomonitoring requirements are not included in the draft permit at Outfall 001.

SUMMARY OF CHANGES FROM APPLICATION

The following changes have been made from the application, which make the draft permit more stringent.

1. Revised Other Requirement No. 7 to provide requirements for lining all new and modified wastewater ponds. These requirements were derived from 30 TAC Chapter 217, and are being applied to all industrial wastewater ponds, based on BPJ.
2. Other Requirement No. 10 was removed and replaced by new Other Requirement Nos. 10 and 11 to require the permittee to provide analytical data for discharges via Outfall 001 after permit issuance. This requirement was included because the permittee did not provide all the required analytical data with the permit application.
3. Included Other Requirement No. 12 to require the permittee to conduct an investigation to determine the reason(s) for elevated levels of total suspended solids in discharges via Outfall 001, conduct a corrective action if necessary, and report information on findings and any corrective action to the Industrial Permits Team within 180 days of permit issuance.
4. Included Other Requirement No. 13 to require the permittee to collect a one-time sample for naturally occurring radioactive materials (NORM) at Outfall 001. The TCEQ may require additional testing or may amend the permit, pursuant to 30 TAC Section 305.62, based on its review of the test results.

See the next section for additional changes to the existing permit.

SUMMARY OF CHANGES FROM EXISTING PERMIT

The following additional changes have been made to the draft permit.

1. Revised Page 1 to include the list of operations conducted at the facility.
2. Revised item No. 1 on Page no. 2 to clarify that the definition of utility wastewater includes boiler blowdown and steam condensate. This change was made because: (a) the definition of utility wastewater in the existing permit is not clear; (b) steam condensate is one of the components of utility wastewater among other waste streams such as cooling tower blowdown and air conditioning condensate; (c) the statement of basis for the existing permit identified steam condensate as one of the waste streams authorized for discharge via Outfall 001; (d) when this permit was issued on April 4, 2001, steam condensate was identified as one of the

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waste streams authorized at Outfall 001; and (e) the permittee provided documentation to demonstrate that the permit application for the existing permit identified steam condensate as one of the waste streams authorized at Outfall 001.

3. Revised item No. 1 on Page 2 to replace "Ammonia (As N)" with "Ammonia (as Nitrogen)," for clarity.
4. Revised item No. 4 on Page No. 2 to specify that the pond referenced in the existing permit is named the "storage and settling pond."
5. Updated the "Definitions and Standard Permit Conditions" section to provide the current language that is being included in all industrial wastewater discharge permits.
6. Revised Other Requirement No. 1.b.ii to state that the definition of "process wastewater" is specific to this permit because "process wastewater," as defined in 40 CFR Part 429, includes additional language for operations that are not performed at this facility.
7. Included Other Requirement No. 1.c. to provide the definition of utility wastewaters, as applicable to operations conducted by the permittee.
8. Removed the reference to dry process hardboard, veneer finishing, and particle board from Other Requirement No. 1.b.2 because the facility does not conduct these operations. Therefore, this information does not apply to the discharges authorized in the draft permit.

BASIS FOR DRAFT PERMIT

The following items were considered in developing the draft permit:

1. Application received on December 10, 2012 and additional information received via electronic mails dated April 15, 2013; April 17, 2013; and April 19, 2013.
2. Existing permit: TPDES Permit No. WQ0004249000 issued on June 3, 2010.
3. TCEQ Rules.
4. Texas Surface Water Quality Standards – 30 TAC §§307.1-307.10, effective July 22, 2010, as approved by EPA.
5. Texas Surface Water Quality Standards - 30 TAC §§307.1-307.10, effective August 17, 2000, and Appendix E, effective February 27, 2002, for portions of the 2010 Standards not approved by EPA.
6. *Procedures to Implement the Texas Surface Water Quality Standards*, Texas Commission on Environmental Quality, January 2003.
7. Appendix D, *Procedures to Implement the Texas Surface Water Quality Standards*, Texas Commission on Environmental Quality, Draft, June 2010.
8. Memos from the Water Quality Standards Implementation Team and the Water Quality Assessment Team of the Water Quality Assessment Section of the TCEQ.
9. "Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits," TCEQ Document No. 98-001.000-OWR-WQ, May 1998.
10. EPA Effluent Guidelines: 40 CFR Part 429 [Best Available Technology Economically Achievable (BAT) and Best Practicable Technology Currently Available (BPT)]. A new source determination was performed and new source performance standards as defined at 40 CFR §122.2 do not apply to the discharge of wet decking wastewater, utility wastewater, and stormwater runoff via Outfall 001.
11. Consistency with the Coastal Management Plan: N/A.

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PROCEDURES FOR FINAL DECISION

When an application is declared administratively complete, the Chief Clerk sends a letter to the applicant advising the applicant to publish the Notice of Receipt of Application and Intent to Obtain Permit in the newspaper. In addition, the Chief Clerk instructs the applicant to place a copy of the application in a public place for review and copying in the county where the facility is or will be located. This application will be in a public place throughout the comment period. The Chief Clerk also mails this notice to any interested persons and, if required, to landowners identified in the permit application. This notice informs the public about the application, and provides that an interested person may file comments on the application or request a contested case hearing or a public meeting.

Once a draft permit is completed, it is sent, along with the Executive Director's preliminary decision, as contained in the technical summary or fact sheet, to the Chief Clerk. At that time, Notice of Application and Preliminary Decision will be mailed to the same people and published in the same newspaper as the prior notice. This notice sets a deadline for making public comments. The applicant must place a copy of the Executive Director's preliminary decision and draft permit in the public place with the application.

Any interested person may request a public meeting on the application until the deadline for filing public comments. A public meeting is intended for the taking of public comment, and is not a contested case proceeding. After the public comment deadline, the Executive Director prepares a response to all significant public comments on the application or the draft permit raised during the public comment period. The Chief Clerk then mails the Executive Director's Response to Comments and Final Decision to people who have filed comments, requested a contested case hearing, or requested to be on the mailing list. This notice provides that if a person is not satisfied with the Executive Director's response and decision, they can request a contested case hearing or file a request to reconsider the Executive Director's decision within 30 days after the notice is mailed.

The Executive Director will issue the permit unless a written hearing request or request for reconsideration is filed within 30 days after the Executive Director's Response to Comments and Final Decision is mailed. If a hearing request or request for reconsideration is filed, the Executive Director will not issue the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If the Executive Director calls a public meeting or the Commission grants a contested case hearing as described above, the Commission will give notice of the date, time, and place of the meeting or hearing. If a hearing request or request for reconsideration is made, the Commission will consider all public comments in making its decision and shall either adopt the Executive Director's response to public comments or prepare its own response.

For additional information about this application contact Timothy Janke at (512) 239-4685.

Timothy Janke
Timothy Janke

April 4, 2014
Date

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**Appendix A
Calculated Water Quality-Based Effluent Limits**

TEXTOX MENU #2 - INTERMITTENT STREAM WITHIN 3 MILES OF A FRESHWATER PERENNIAL STREAM/RIVER

The water quality-based effluent limitations developed below are calculated using:

Table 1, 2010 Texas Surface Water Quality Standards (30 TAC 307) for Freshwater Aquatic Life

Table 2, 2010 Texas Surface Water Quality Standards for Human Health (except Mercury)

Table 3, 2000 Texas Surface Water Quality Standards for Human Health (Mercury)

"Procedures to Implement the Texas Surface Water Quality Standards," Texas Commission on Environmental Quality, January 2003

"Procedures to Implement the Texas Surface Water Quality Standards," Appendix D, Texas Commission on Environmental Quality, June 2010

PERMIT INFORMATION

Permittee Name:	Steely Lumber Co., Inc.
TPDES Permit No.:	WQ0004249000
Outfall No.:	001
Prepared by:	Saiya Dwivedula, P.E.
Date:	1/30/2013

DISCHARGE INFORMATION

Intermittent Receiving Water body:	Unnamed Ditch
Perennial Stream/River within 3 Miles:	Shepherd Creek
Segment No.:	1003
TSS (mg/L):	7.0
pH (Standard Units):	6.6
Hardness (mg/L as CaCO ₃):	37
Chloride (mg/L):	32
Effluent Flow for Aquatic Life (MGD):	7986
Critical Low Flow [7Q2] (cfs) for Intermittent:	0
Critical Low Flow [7Q2] (cfs) for perennial:	0.1
Percent Effluent for Mixing Zone:	100.00
Percent Effluent for Zone of Initial Dilution:	100
Effluent Flow for Human Health (MGD):	2017
Harmonic Mean Flow (cfs) for perennial:	0.2
Percent Effluent for Human Health:	100
Public Water Supply Use?:	yes

Max. of Avg. flow, 5-yr period; a value of 0.5 MGD for 2-yr period is not representative.

Avg. of Avg. flow, 5-yr period; a value of 0.260 MGD for 2-yr period is not representative.

CALCULATE DISSOLVED FRACTION (AND ENTER WATER EFFECT RATIO IF APPLICABLE):

Stream/River Metal	Intercept	(b) - Slope	(m)	Partition Coefficient (Kp)	Dissolved Fraction (Cd/Ct)	Water Effect Ratio (WER)
Aluminum	N/A	N/A	N/A	N/A	1.00	Assumed
Arsenic	5.68	-0.73	115632.10	0.55	1	Assumed
Cadmium	6.60	-1.13	441610.32	0.24	1	Assumed
Chromium (Total)	6.52	-0.93	542074.31	0.21	1	Assumed
Chromium (+3)	6.52	-0.93	542074.31	0.21	1	Assumed
Chromium (+6)	N/A	N/A	N/A	1.00	Assumed	1
Copper	6.02	-0.74	248100.39	0.37	1	Assumed
Lead	6.45	-0.80	594184.84	0.19	1	Assumed

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<i>Stream/River Metal</i>	<i>Intercept (b)</i>	<i>Slope (m)</i>	<i>Partition Coefficient (Kp)</i>	<i>Dissolved Fraction (Cd/Ct)</i>	<i>Water Effect Ratio (WER)</i>		
Mercury	N/A	N/A	N/A	1.00	Assumed	1	Assumed
Nickel	5.69	-0.57	161545.22	0.47		1	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1	Assumed
Silver	6.38	-1.03	323257.80	0.31		1	Assumed
Zinc	6.10	-0.70	322426.98	0.31		1	Assumed

CONVERT TISSUE-BASED CRITERIA TO WATER COLUMN CRITERIA:

<i>Parameter</i>	<i>Water and Fish Criterion (ug/kg)</i>	<i>Fish Only Criterion (ug/kg)</i>	<i>BCF (l/kg)</i>	<i>Water and Fish Criterion (ug/L)</i>	<i>Fish Only Criterion (ug/L)</i>
4,4'-DDD	166.16	166.16	53600	0.0031	0.0031
4,4'-DDE	214.4	214.4	53600	0.004	0.004
4,4'-DDT	209.04	209.04	53600	0.0039	0.0039
Dioxins/Furans	0.0004	0.0004	5000	8.00E-08	8.00E-08
Mercury					
Polychlorinated Biphenyls (PCBs)	19.96	19.96	31200	6.40E-04	6.40E-04

AQUATIC LIFE

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>FW Acute Criterion (ug/L)</i>	<i>FW Chronic Criterion (ug/L)</i>	<i>WLAa</i>	<i>WLAc</i>	<i>LTAa</i>	<i>LTAc</i>	<i>Daily Avg. (ug/L)</i>	<i>Daily Max. (ug/L)</i>
Aldrin	3	N/A	3.00	N/A	1.72	N/A	2.53	5.35
Aluminum	991	N/A	991	N/A	568	N/A	835	1766
Arsenic	340	150	615.204	271.416	352.512	208.990	307	650
Cadmium	3.261	0.123	13.342	0.504	7.645	0.388	0.570	1.207
Carbaryl	2	N/A	2.00	N/A	1.15	N/A	1.68	3.56
Chlordane	2.4	0.004	2.40	0.004	1.38	0.003	0.005	0.010
Chlorpyrifos	0.083	0.041	0.083	0.041	0.048	0.032	0.046	0.098
Chromium (+3)	252.378	32.829	1210.032	157.402	693.349	121.199	178	377
Chromium (+6)	15.7	10.6	15.7	10.600	9.00	8.162	12.0	25.4
Copper	5.565	4.049	15.231	11.080	8.727	8.532	12.5	26.5
Cyanide	45.8	10.7	45.8	10.700	26.2	8.239	12.1	25.6
4,4'-DDT	1.1	0.001	1.10	0.001	0.630	0.001	0.001	0.002
Demeton	N/A	0.1	N/A	0.100	N/A	0.077	0.113	0.239
Diazinon	0.17	0.17	0.170	0.170	0.097	0.131	0.143	0.303
Dicofol	59.3	19.8	59.3	19.800	34.0	15.246	22.4	47.4
Dieldrin	0.24	0.002	0.240	0.002	0.138	0.002	0.002	0.005
Diuron	210	70	210	70.001	120	53.900	79.2	168
Endosulfan I (alpha)	0.22	0.056	0.220	0.056	0.126	0.043	0.063	0.134
Endosulfan II (beta)	0.22	0.056	0.220	0.056	0.126	0.043	0.063	0.134
Endosulfan sulfate	0.22	0.056	0.220	0.056	0.126	0.043	0.063	0.134
Endrin	0.086	0.002	0.086	0.002	0.049	0.002	0.002	0.005
Guthion	N/A	0.01	N/A	0.010	N/A	0.008	0.011	0.024
Heptachlor	0.52	0.004	0.520	0.004	0.298	0.003	0.005	0.010
Hexachlorocyclohexane (Lindane)	1.126	0.08	1.13	0.080	0.645	0.062	0.091	0.192
Lead	21.551	0.840	111.188	4.333	63.711	3.336	4.904	10.4
Malathion	N/A	0.01	N/A	0.010	N/A	0.008	0.011	0.024
Mercury	2.4	1.3	2.40	1.300	1.38	1.001	1.47	3.11
Methoxychlor	N/A	0.03	N/A	0.030	N/A	0.023	0.034	0.072
Mirex	N/A	0.001	N/A	0.001	N/A	0.001	0.001	0.002

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<i>Parameter</i>	<i>FW Acute Criterion (ug/L)</i>	<i>FW Chronic Criterion (ug/L)</i>	<i>WLAa</i>	<i>WLAc</i>	<i>LTAa</i>	<i>LTAc</i>	<i>Daily Avg. (ug/L)</i>	<i>Daily Max. (ug/L)</i>
Nickel	201.913	22.426	430.239	47.787	246.527	36.796	54.1	114
Nonylphenol	28	6.6	28.0	6.600	16.0	5.082	7.47	15.8
Parathion (ethyl)	0.065	0.013	0.065	0.013	0.037	0.010	0.015	0.031
Pentachlorophenol	5.836	4.477	5.836	4.477	3.344	3.447	4.92	10.4
Phenanthrene	30	30	30.0	30.000	17.2	23.100	25.3	53.5
Polychlorinated Biphenyls (PCBs)	2	0.014	2.00	0.014	1.15	0.011	0.016	0.034
Selenium	20	5	20.0	5.000	11.5	3.850	5.66	12.0
Silver (free ion)	0.8	N/A	7.8158391	N/A	4.478	N/A	6.58	13.9
Toxaphene	0.78	0.0002	0.780	0.00020	0.447	0.00015	0.00023	0.00048
Tributyltin (TBT)	0.13	0.024	0.130	0.024	0.074	0.018	0.027	0.057
2,4,5 Trichlorophenol	136	64	136	64.001	77.9	49.280	72.4	153
Zinc	50.465	50.878	164.365	165.711	94.181	127.597	138	293

HUMAN HEALTH

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Water and Fish Criterion (ug/L)</i>	<i>Fish Only Criterion (ug/L)</i>	<i>WLAh</i>	<i>LTAh</i>	<i>Daily Avg. (ug/L)</i>	<i>Daily Max. (ug/L)</i>
Acrylonitrile	0.8	3.8	3.800	3.534	5.20	11.0
Aldrin	0.00094	0.001	0.001	0.001	0.001	0.003
Anthracene	5569	N/A	N/A	N/A	N/A	N/A
Antimony	6	1071	1071.069	996.094	1464	3098
Arsenic	10	N/A	N/A	N/A	N/A	N/A
Barium	2000	N/A	N/A	N/A	N/A	N/A
Benzene	5	513	513.033	477.121	701	1484
Benzidine	0.00086	0.002	0.002	0.002	0.003	0.006
Benzo(a)anthracene	0.068	0.33	0.330	0.307	0.451	0.955
Benzo(a)pyrene	0.068	0.33	0.330	0.307	0.451	0.955
Bis(chloromethyl)ether	0.0024	0.44	0.440	0.409	0.602	1.273
Bis(2-chloroethyl)ether	0.3	5.27	5.270	4.901	7.21	15.2
Bis(2-ethylhexyl)phthalate	6	41	41.003	38.132	56.1	119
Bromodichloromethane	10.2	322	322.021	299.479	440	931
Bromoform	69.1	2175	2175.139	2022.880	2974	6291
Cadmium	5	N/A	N/A	N/A	N/A	N/A
Carbon Tetrachloride	4.1	29	29.002	26.972	39.6	83.9
Chlordane	0.008	0.0081	0.008	0.008	0.011	0.023
Chlorobenzene	100	5201	5201.333	4837.240	7111	15044
Chlorodibromomethane (Dibromochloromethane)	7.6	239	239.015	222.284	327	691
Chloroform	70	7143	7143.458	6643.416	9766	20661
Chromium (+6)	62	502	502.032	466.890	686	1452
Chrysene	68.13	327	327.021	304.129	447	946
Cresols	736	1981	1981.127	1842.448	2708	5730
Cyanide	200	N/A	N/A	N/A	N/A	N/A
4,4'-DDD	0.0031	0.0031	0.003	0.003	0.004	0.009
4,4'-DDE	0.004	0.004	0.004	0.004	0.005	0.012
4,4'-DDT	0.0039	0.0039	0.004	0.004	0.005	0.011
2,4'-D	70	N/A	N/A	N/A	N/A	N/A
Danitrol	5.39	5.44	5.440	5.060	7.44	15.7
1,2-Dibromoethane	0.16	2.13	2.130	1.981	2.91	6.161
m-Dichlorobenzene	473	1445	1445.093	1343.936	1976	4180
o-Dichlorobenzene	600	4336	4336.278	4032.738	5928	12542
p-Dichlorobenzene	75	N/A	N/A	N/A	N/A	N/A

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Parameter	Water and Fish Criterion (ug/L)	Fish Only Criterion (ug/L)	WLAh	LTAh	Daily Avg. (ug/L)	Daily Max. (ug/L)
3,3'-Dichlorobenzidine	0.32	0.44	0.440	0.409	0.602	1.273
1,2-Dichloroethane	5	553	553.035	514.323	756	1600
1,1-Dichloroethylene	7	23916	23917.533	22243.305	32698	69177
Dichloromethane	5	5926	5926.380	5511.533	8102	17141
1,2-Dichloropropane	5	226	226.014	210.193	309	654
1,3-Dichloropropene (1,3- Dichloropropylene)	3.4	211	211.014	196.243	288	610
Dicofol	0.076	0.076	0.076	0.071	0.104	0.220
Dieldrin	0.0005	0.0005	0.001	0.000	0.001	0.001
2,4-Dimethylphenol	257	571	571.037	531.064	781	1652
Di-n-Butyl Phthalate	1318	3010	3010.193	2799.479	4115	8706
Dioxins/Furans (TCDD Equivalents)	8.00E-08	8.00E-08	8.001E-08	7.44E-08	1.09E-07	2.31E-07
Endrin	0.2	0.2	0.200	0.186	0.273	0.578
Ethylbenzene	700	7143	7143.458	6643.416	9766	20661
Fluoride	4000	N/A	N/A	N/A	N/A	N/A
Heptachlor	0.0015	0.0015	0.002	0.001	0.002	0.004
Heptachlor Epoxide	0.00074	0.00075	0.001	0.001	0.001	0.002
Hexachlorobenzene	0.0044	0.0045	0.005	0.004	0.006	0.013
Hexachlorobutadiene	6.5	274	274.018	254.836	375	793
Hexachlorocyclohexane (alpha)	0.05	0.093	0.093	0.086	0.127	0.269
Hexachlorocyclohexane (beta)	0.17	0.33	0.330	0.307	0.451	0.955
Hexachlorocyclohexane (gamma) (Lindane)	0.2	6.2	6.200	5.766	8.48	17.9
Hexachlorocyclopentadiene	50	N/A	N/A	N/A	N/A	N/A
Hexachloroethane	27	62	62.004	57.664	84.8	179.3
Hexachlorophene	0.008	0.008	0.008	0.007	0.011	0.023
Lead	1.15	3.83	19.761	18.378	27.0	57.2
Mercury	0.0122	0.0122	0.012	0.011	0.017	0.035
Methoxychlor	0.33	0.33	0.330	0.307	0.451	0.955
Methyl Ethyl Ketone	13932	1500000	1500096	1.40E+06	2.05E+06	4.34E+06
Nickel	332	1140	2429.287	2259.236	3321	7026
Nitrate-Nitrogen (as Total Nitrogen)	10000	N/A	N/A	N/A	N/A	N/A
Nitrobenzene	11	463	463.030	430.618	633	1339
N-Nitrosodiethylamine	0.0037	2.1	2.100	1.953	2.87	6.07
N-Nitroso-di-n-Butylamine	0.119	4.2	4.200	3.906	5.74	12.1
Pentachlorobenzene	1	1	1.000	0.930	1.37	2.892
Pentachlorophenol	1	57	57.004	53.013	77.9	165
Polychlorinated Biphenyls (PCBs)	6.40E-04	6.40E-04	0.001	0.001	0.001	0.002
Pyridine	23	2014	2014.129	1873.140	2754	5825
Selenium	50	N/A	N/A	N/A	N/A	N/A
1,2,4,5-Tetrachlorobenzene	0.65	0.71	0.710	0.660	0.971	2.054
1,1,2,2-Tetrachloroethane	3.2	76	76.005	70.685	104	220
Tetrachloroethylene	5	49	49.003	45.573	67.0	142
Thallium	0.75	1.5	1.500	1.395	2.05	4.339
Toluene	1000	N/A	N/A	N/A	N/A	N/A
Toxaphene	0.0053	0.0053	0.005	0.005	0.007	0.015
2,4,5-TP (Silvex)	7.3	7.6	7.600	7.068	10.4	22.0
1,1,1-Trichloroethane	200	956663	956724	889754	1307938	2767134
1,1,2-Trichloroethane	5	295	295	274	403	853
Trichloroethylene	5	649	649	604	887	1877
2,4,5-Trichlorophenol	1194	2435	2435	2265	3329	7043
TTHM (Sum of Total Trihalomethanes)	80	N/A	N/A	N/A	N/A	N/A
Vinyl Chloride	0.25	24	24.002	22.321	32.8	69.4

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
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CALCULATE 70% AND 85% OF DAILY AVERAGE EFFLUENT LIMITATIONS:

Aquatic Life		
Parameter	70%	85%
Aldrin	1.77	2.15
Aluminum	584	710
Arsenic	215	261
Cadmium	0.399	0.485
Carbaryl	1.18	1.43
Chlordane	0.003	0.004
Chlorpyrifos	0.032	0.039
Chromium (+3)	125	151
Chromium (+6)	8.40	10.2
Copper	8.78	10.7
Cyanide	8.48	10.3
4,4'-DDT	0.0008	0.0010
Demeton	0.079	0.096
Diazinon	0.100	0.122
Dicofol	15.7	19.1
Dieldrin	0.0016	0.0019
Diuron	55.5	67.3
Endosulfan (alpha)	0.044	0.054
Endosulfan (beta)	0.044	0.054
Endosulfan sulfate	0.044	0.054
Endrin	0.0016	0.0019
Guthion	0.008	0.010
Heptachlor	0.003	0.004
Hexachlorocyclohexane (Lindane)	0.063	0.077
Lead	3.433	4.169
Malathion	0.008	0.010
Mercury	1.03	1.25
Methoxychlor	0.024	0.029
Mirex	0.0008	0.0010
Nickel	37.9	46.0
Nonylphenol	5.23	6.35
Parathion (ethyl)	0.010	0.013
Pentachlorophenol	3.44E+00	4.18E+00
Phenanthrene	17.7	21.5
Polychlorinated Biphenyls (PCBs)	0.011	0.013
Selenium	3.96	4.81
Silver (free ion)	4.61	5.60
Toxaphene	0.00016	0.00019
Tributyltin (TBT)	0.019	0.023
2,4,5 Trichlorophenol	50.7	61.6
Zinc	96.9	118

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
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Human Health

Parameter	70%	85%
Acrylonitrile	3.64	4.42
Aldrin	0.0010	0.0012
Anthracene	N/A	N/A
Antimony	1025	1245
Arsenic	N/A	N/A
Barium	N/A	N/A
Benzene	491	596
Benzidine	0.0019	0.0023
Benzo(a)anthracene	0.316	0.383
Benzo(a)pyrene	0.316	0.383
Bis(chloromethyl)ether	0.421	0.511
Bis(2-chloroethyl)ether	5.04	6.12
Bis(2-ethylhexyl)phthalate	39.2	47.6
Bromodichloromethane	308	374
Bromoform	2082	2528
Cadmium	N/A	N/A
Carbon Tetrachloride	27.8	33.7
Chlordane	0.008	0.009
Chlorobenzene	4978	6044
Chlorodibromomethane (Dibromochloromethane)	229	278
Chloroform	6836	8301
Chromium (+6)	480	583
Chrysene	313	380
Cresols	1896	2302
Cyanide	N/A	N/A
4,4'-DDD	0.003	0.004
4,4'-DDE	0.004	0.005
4,4'-DDT	0.004	0.005
2,4'-D	N/A	N/A
Danitrol	5.21	6.32
1,2-Dibromoethane	2.04	2.48
m-Dichlorobenzene	1383	1679
o-Dichlorobenzene	4150	5039
p-Dichlorobenzene	N/A	N/A
3,3'-Dichlorobenzidine	0.421	0.511
1,2-Dichloroethane	529	643
1,1-Dichloroethylene	22888	27793
Dichloromethane	5671	6887
1,2-Dichloropropane	216	263
1,3-Dichloropropene (1,3- Dichloropropylene)	202	245
Dicofol	0.073	0.088
Dieldrin	0.000	0.001
2,4-Dimethylphenol	546	664
Di-n-Butyl Phthalate	2881	3498
Dioxins/Furans (TCDD Equivalents)	7.66E-08	9.30E-08
Endrin	0.191	0.232
Ethylbenzene	6836	8301
Fluoride	N/A	N/A
Heptachlor	0.001	0.002
Heptachlor Epoxide	0.0007	0.0009
Hexachlorobenzene	0.004	0.005
Hexachlorobutadiene	262	318
Hexachlorocyclohexane (alpha)	0.089	0.108
Hexachlorocyclohexane (beta)	0.316	0.383

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
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TPDES Permit No. WQ0004249000

<i>Parameter</i>	<i>70%</i>	<i>85%</i>
Hexachlorocyclohexane (gamma) (Lindane)	5.93	7.21
Hexachlorocyclopentadiene	N/A	N/A
Hexachloroethane	59.3	72.1
Hexachlorophene	0.008	0.009
Lead	18.9	23.0
Mercury	0.012	0.014
Methoxychlor	0.316	0.383
Methyl Ethyl Ketone	1.44E+06	1.74E+06
Nickel	2325	2823
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A
Nitrobenzene	443	538
N-Nitrosodiethylamine	2.01	2.44
N-Nitroso-di-n-Butylamine	4.02	4.88
Pentachlorobenzene	0.957	1.162
Pentachlorophenol	54.6	66.2
Polychlorinated Biphenyls (PCBs)	6.12E-04	7.43E-04
Pyridine	1927	2340
Selenium	N/A	N/A
1,2,4,5-Tetrachlorobenzene	0.679	0.825
1,1,2,2-Tetrachloroethane	72.734	88.3
Tetrachloroethylene	46.9	56.9
Thallium	1.44	1.74
Toluene	N/A	N/A
Toxaphene	0.005	0.006
2,4,5-TP (Silvex)	7.27	8.83
1,1,1-Trichloroethane	915556	1111747
1,1,2-Trichloroethane	282	343
Trichloroethylene	621	754
2,4,5-Trichlorophenol	2330	2830
TTHM (Sum of Total Trihalomethanes)	N/A	N/A
Vinyl Chloride	23.0	27.9

ATTACHMENT C

Steely Lumber Co., Inc. WQ0004249000

Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda



Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087

February 10, 2014

Projection: Texas Centric Mapping System
Albers (TCMS-A), meters
Scale 1:14,899

- Facility
- George H. Russell (Requestor)
- Outfall
- Discharge Route
- 1 stream mile downstream
- 1 mile from facility boundary
- Watercourse

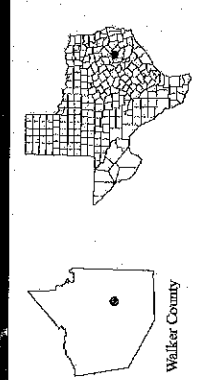


Miles
0 0.1 0.2

Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information from the applicant and the requester information from the requester. The background imagery of this map is from the current Environmental Systems Research Institute (ESRI) map service, as of the date of this map.

This map was generated by the Information Resources Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Information Resource Division at (512) 259-0800.

C. Schneider, CNA-415133



The facility is located in Walker County. The circle (green) in the left inset map represents the approximate location of the facility. The red circle on the right represents the location of Walker County (red) in the state of Texas.

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